

Rural homes' fire fee official

More than 23,000 in Lode to pay annual tax

By Dana M. Nichols
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SAN ANDREAS - The California Board of Forestry on Wednesday made permanent the widely disliked "fire prevention fee" that forces the owners of more than 800,000 rural homes in California to pay a \$115 to \$150 annual tax.

Representatives from several rural counties, including Calaveras County Supervisor Darren Spellman, were on hand to remind the board that they oppose the tax.

"I would ask that you do not force rural citizens to pay for mistakes that have been made in the past," Spellman said. "This is reprehensible."

The state board members largely ignored such objections, except to say their hands were tied by state law.

Gov. Jerry Brown and the state Legislature came up with the fee in 2011 as a way to help balance the budget. Assembly Bill X129 ordered the Board of Forestry to enact an emergency measure to allow it to collect the tax in 2012.

Such an emergency measure is only good for a year. The law also requires the Board of Forestry to enact a permanent fire prevention fee in time to collect the tax in 2013. That's what the board did Wednesday.

In Calaveras County, property owners began receiving the first year's bills in September. The bills went to the owners of 23,244 Calaveras properties.

The fee is assessed only on properties in so-called "state responsibility areas," where the California Department of Forestry and Fire Protection is responsible for fire fighting. Most of Calaveras County is in a state responsibility area, while San Joaquin County has only a sliver of its eastern edge and a small area in the hills near Tracy in a state responsibility area.

In reality, many rural residents are also served by local fire districts for which they already pay taxes. Property owners with a local fire district get \$35 knocked off their fire tax bill, reducing it to \$115.

Les Baugh, an elected supervisor for Shasta County, spoke Wednesday on behalf of the Regional Council of Rural Counties, a statewide organization whose members include Calaveras, Shasta and dozens of others.

Baugh said RCRC opposes the fire tax. He said the tax has had a variety of negative impacts already, including making it more difficult for local fire agencies to ask voters to increase local taxes, undermining the willingness of local fire agencies to respond on a mutual aid basis, and a large number of incorrect bills, with many homeowners double or triple billed.

"The billing and implementation process is already causing substantial confusion," Baugh said. "This fee is no longer worth the expense of administering it."

Several Board of Forestry members said they would like to modify the fire tax rules to give homeowners more than 30 days to protest an incorrect bill.

Dean Cromwell, executive director of the Board of Forestry, said staff would look for ways to extend the protest period but might have few options.

"The law says 30 days," he said of the bill.

Several efforts to overturn that law are under way. In October, the Howard Jarvis Taxpayers Association filed a class action lawsuit that alleges the law is an illegal tax rather than a fee. Also, state Sen. Ted Gaines, R-Roseville, on Monday put forth his first act of the new legislative session: the introduction of a bill to overturn the fee.

Gaines introduced a similar measure last summer that went nowhere.

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